

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ONDRE W. STURGESS  
aka ANDRE STURGESS,

Petitioner,  
v.  
CASE NO. 5:06-CV-14234  
HONORABLE JOHN CORBETT O'MEARA

MARY BERGHUIS,

Respondent.

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**ORDER DENYING MOTIONS FOR A CERTIFICATE OF APPEALABILITY AND  
FOR LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS**

This matter is before the Court on Petitioner's motions for a certificate of appealability and for leave to proceed on appeal *in forma pauperis* concerning the Court's denial of his habeas petition. The Court, however, denied a certificate of appealability and denied leave to proceed on appeal *in forma pauperis* in its opinion and order dismissing the petition. The Court finds no reason to reconsider that decision. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(g)(3).

Accordingly, the Court **DENIES** Petitioner's motions.

s/John Corbett O'Meara  
United States District Judge

Date: August 20, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 20, 2008, by electronic and/or ordinary mail.

s/William Barkholz  
Case Manager